

SIXTY-SEVENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother John Vaughn, Greymore Church of Christ, Columbia, Tennessee.

Representative Napier led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 85

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Dills, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--85.

The Speaker announced that Representative Bragg was excused because of personal illness.

The Speaker announced that Representative Stafford was excused because of personal illness.

The Speaker announced that Representative Dixon was excused because of a death in family.

The Speaker announced that Representative Withers was excused because of illness.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1820, 2135, 2259, 2260, 2261, 2262 and 2263; House Joint Resolutions Nos. 419, 420, 422, 423, 424, 429, 443 and 444; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 308, 1286, 1300, 1346, 1351, 1434, 1444, 1581, 1598, 1605, 1606, 1611, 1627, 1657, 1831, 1903, 2108 and 2109; also, Senate Joint Resolution No. 197; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1820, 2135, 2259, 2260, 2261, 2262 and 2263; House Joint Resolutions Nos. 419, 420, 422, 423, 424, 429, 443 and 444; Senate Bills Nos. 308, 1286, 1300, 1346, 1351, 1434, 1444, 1581, 1598, 1605, 1606, 1611, 1627, 1657, 1831, 1903, 2108 and 2109; and Senate Joint Resolution No. 197.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 423; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 423; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 434, 466 and 467, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1391, 1472, 1547, 1639, 1644, 1751, 1804, 1805, 1807, 1808, 1826, 1829, 1832, 1846, 1886, 1887, 1912, 1989, 2044, 2083, 2232, 2233, 2234, 2238, 2240, 2242, 2244, 2250, 2251 and 2252; and House Joint Resolutions Nos. 264, 266, 344, 380, 383, 384, 386, 387, 388, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 402, 403, 404, 405, 407, 409, 410, 411, 416, 421, 423, 425, 426, 431, and 460; with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

CALENDAR

House Bill No. 1787--To make certain provisions, motor vehicle accidents.

On motion, House Bill No. 1787 was made to conform with Senate Bill No. 1454.

On motion, Senate Bill No. 1454, on same subject, was substituted for House Bill No. 1787.

Mrs. Montgomery moved that Senate Bill No. 1454 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1454 by deleting Section 1 in its entirety and substituting instead the following:

Tennessee Code Annotated, Section 55-10-101 (6) is amended by deleting the words and figure "six (6) months" in the first sentence of such subsection and substituting instead the words and figure "thirty (30) days" and by deleting the second and third sentences of such subsection in their entirety.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1454, as amended, passed its third and final consideration by the following vote:

Ayes	83
Noes	6

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--83.

Representatives voting no were: Jared, Pickering, Rhinehart, Shirley, Wheeler and Work--6.

A motion to reconsider was tabled.

House Bill No. 2059--To provide for relocation of certain utilities.

Mr. Gill moved that House Bill No. 2059 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representative present and not voting was: Harrill--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

Mr. Kernell moved that House Bill No. 1896 be placed on the Calendar for Monday, May 7, 1984, which motion prevailed.

House Bill No. 2162--To make certain provisions, motor vehicle privilege tax.

On motion, House Bill No. 2162 was made to conform with Senate Bill No. 2132.

On motion, Senate Bill No. 2132, on same subject, was substituted for House Bill No. 2162.

Mr. Naifeh moved that Senate Bill No. 2132 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2132 by inserting the following language in the amendatory language of Section 2 between the words "county clerk" and "shall":

shall collect fees for all permits required by the county for motor vehicles and

Mr. Chiles moved that the Amendment No. 1 be tabled, which motion failed.

Thereupon, on motion, Amendment No. 1 was adopted.

Thereupon, Senate Bill No. 2132, as amended, passed its third and final consideration by the following vote:

Ayes	74
Noes	7
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Drew, Duer, Elsea, Ford, Frensley, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith,

Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--74.

Representatives voting no were: Chiles, Ellis, Kelley, Moody, Moore (Shelby), Pruitt and Wallace--7.

Representatives present and not voting were: Copeland, Miller and Nance--3.

A motion to reconsider was tabled.

House Bill No. 2218--To make certain provisions, property tax exemptions.

On motion, House Bill No. 2218 was made to conform with Senate Bill No. 1503.

On motion,, Senate Bill No. 1503, on same subject, was substituted for House Bill No. 2218.

Mr. Rhinehart moved that Senate Bill No. 1503 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--85.

A motion to reconsider was tabled.

House Bill No. 661--To amend Sections 54-4-203 and 67-3047, Code.

On motion, House Bill No. 661 was made to conform with Senate Bill No. 28.

On motion, Senate Bill No. 28, on same subject, was substituted for House Bill No. 661.

Mr. Huskey moved that Senate Bill No. 28 be passed on third and final consideration.

Mr. Huskey moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 28 by deleting from Section 3, the words July 1, 1983 and substituting instead the words July 1, 1984.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 28, as amended, passed its third and final consideration by the following vote:

Ayes	83
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--83.

Representative voting no was: Cobb--1.

A motion to reconsider was tabled.

House Bill No. 2204--To make certain provisions, issuance of license plates.

On motion, House Bill No. 2204 was made to conform with Senate Bill No. 2171.

On motion, Senate Bill No. 2171, on same subject, was substituted for House Bill No. 2204.

Mr. Gafford moved that Senate Bill No. 2171 be passed on third and final consideration.

Mr. Gafford moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2171 in amendatory Section 55-4-202 of

Section 1 by adding a new subdivision (c)(1)(H), as follows:

(H) Amateur Radio

and by deleting present subdivision (c)(4)(A) and relettering subsequent subdivisions accordingly.

Mr. Rhinehart moved that the Amendment No. 1 be tabled.

Mr. Gafford moved that Senate Bill No. 2171 be placed on the Calendar for Monday, May 7, 1984, which motion prevailed.

House Bill No. 2134--To require oaths, employees, conectional institutions.

On motion, House Bill No. 2134 was made to conform with Senate Bill No. 1670.

On motion, Senate Bill No. 1670, on same subject, was substituted for House Bill No. 2134.

Mr. Cobb moved that Senate Bill No. 1670 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --87.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 767 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 2001--To adjust compensation, certain members of highway patrol.

Mr. Rhinehart moved that House Bill No. 2001 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2001 by deleting in Section 1 the words and figure "one (1) year" and substituting instead the words and figure "three (3) years".

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2001 by deleting the language of Section 1 in its entirety and by substituting in lieu thereof the following:

"Section 1. (a) Each commissioned member of the highway patrol, upon the completion of nine (9) years or more as of July 1, 1984, of service in particular class of position, shall receive the maximum rate of compensation for the member's class of position contained in the classification compensation plan established by the Department of Personnel pursuant to TCA, Section 8-30-214. This shall not preclude the advancement of such members of the highway patrol to the maximum rate of compensation within less than nine (9) years in the event of promotion after July 1, 1984. Subsection (a) of this Act is subject to the appropriation of available funds.

(b) The Department of Personnel and Department of Finance and Administration shall implement such a plan to accomplish the purpose set forth above in subsection (a). During the first year of the implementation of this program, the Department of Personnel and Department of Finance and Administration shall report to the Finance, Ways and Means Committees of the House and Senate concerning the implementation of this act.

(c) In each fiscal year all funds appropriated in the Appropriations Act and allocated for the salaries of commissioned members of the highway patrol shall be first used to implement the compensation plan. To the extent of any remaining funds, the Legislature, upon the recommendations of the Department of Personnel, shall provide for the expenditure of such funds.

(d) For implementation purposes for July 1, of the Fiscal Year 1984-85 under the classification and compensation plan, adopted in accordance with Tennessee Code Annotated 8-30-214 implemented by the Department of Personnel and Department of Finance and Administration, the commissioned members of the highway patrol shall be paid in accordance with the following schedule:

TROOPERS

- Troopers hired new and those with less than one (1) year service as a trooper shall be at Step 1 in the compensation plan.
- Troopers with more than one (1) but less than two (2) years service as a trooper shall be at Step 2 in the compensation plan.
- Troopers with more than two (2) but less than three (3) years service as a trooper shall be at Step 3 in the compensation plan.
- Troopers with more than three (3) but less than four (4) years service as a trooper shall be at Step 4 in the compensation plan.
- Troopers with more than four (4) but less than five (5) years service as a trooper shall be at Step 5 in the compensation plan.
- Troopers with more than five (5) but less than six (6) years service as a trooper shall be at Step 6 in the compensation plan.
- Troopers with more than six (6) but less than seven (7) years service as a trooper shall be at Step 7 in the compensation plan.
- Troopers with more than seven (7) but less than eight (8) years service as a trooper shall be at Step 8 in the compensation plan.
- Troopers with more than eight (8) but less than nine (9) years service as a trooper shall be at Step 9 in the compensation plan.
- Troopers with nine (9) or more years as a trooper shall be at Step 10 of the compensation plan.

SERGEANTS

- Sergeants with less than seven years as a sergeant shall be at Step 7 in the compensation plan.
- Sergeants with more than seven (7) but less than eight (8) years service as a Sergeant shall be at Step 8 of the compensation plan.
- Sergeants with more than eight (8) but less than nine (9) years of service as a Sergeant shall be at Step 9 of the compensation plan.
- Sergeants with nine (9) or more years of service as a Sergeant shall be at the Step 10 of the compensation plan.

LIEUTENANTS

- Lieutenants with less than eight (8) years as a lieutenant shall be at Step 8 of the compensation plan.

- Lieutenants with more than eight (8) years as a lieutenant but less than nine (9) shall be at Step 9 of the compensation plan.
- Lieutenants with nine (9) years or more as a lieutenant shall be at Step 10 of the compensation plan.

CAPTAINS

- Captains with less than seven (7) years as a captain shall be at Step 7 of the compensation plan.
- Captains with more than seven (7) years but less than eight (8) years of service as a captain shall be at Step 8 of the compensation plan.
- Captains with more than eight (8) years but less than nine (9) years of service as a captain shall be at Step 9 of the compensation plan.
- Captains with more than nine (9) years of service as a captain shall be at Step 10 of the compensation plan.

MAJORS

- Majors with less than eight (8) years of service as majors shall be at Step 8 of the compensation plan.
- Majors with more than eight (8) years but less than nine (9) years as majors shall be at Step 9 of the compensation plan.
- Majors with nine (9) years or more service as majors shall be at Step 10 of the compensation plan.

LIEUTENANT COLONELS

- Lieutenant Colonels with less than eight years of service as a lieutenant colonel shall be at Step 8 of the compensation plan.
- Lieutenant Colonels with more than eight (8) years but less than nine (9) years service shall be at Step 9 of the compensation plan.
- Lieutenant Colonels with more than nine (9) years of service shall be at Step 10 of the compensation plan.

AND FURTHER AMEND by deleting the language of Section 2 in its entirety.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2001, as amended, passed its third and final consideration by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 483 out of order, which motion prevailed.

House Joint Resolution No. 483--Relative to 150th Anniversary Randolph United Methodist Church--By Naifeh.

Mr. Naifeh moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 483, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

House Bill No. 1995--To amend Section 61-2-102, Code.

On motion, House Bill No. 1995 was made to conform with Senate Bill No. 1438.

On motion, Senate Bill No. 1438, on same subject, was substituted for House Bill No. 1995.

Mr. Cobb moved that Senate Bill No. 1438 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson),

DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 2078 be placed on the Calendar for Monday, May 7, 1984, which motion prevailed.

House Bill No. 2035--To make certain provisions, delinquent taxes.

On motion, House Bill No. 2035 was made to conform with Senate Bill No. 1761.

On motion, Senate Bill No. 1761, on same subject, was substituted for House Bill No. 2035.

Mr. Copeland moved that Senate Bill No. 1761 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	3
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Jared, Robertson and Wheeler--3.

Representative present and not voting was: Moore (Shelby)--1.

A motion to reconsider was tabled.

House Bill No. 2036--To require notice, sale of property for taxes.

On motion, House Bill No. 2036 was made to conform with Senate Bill No. 1760.

On motion, Senate Bill No. 1760, on same subject, was substituted for House Bill No. 2036.

Mr. Copeland moved that Senate Bill No. 1760 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--86.

Representatives voting no were: Jared and Wheeler--2.

A motion to reconsider was tabled.

House Bill No. 1445--To make certain provisions, sales tax distribution.

Mr. Copeland moved that House Bill No. 1445 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1445 by deleting from the first paragraph of Section 1 the following, "three-ninths (3/9)" and by substituting instead the following, "three-elevenths (3/11)".

AND FURTHER AMEND by deleting from the second paragraph of Section 1 the following, "two-ninths (2/9)" and by substituting instead the following, "four-elevenths (4/11)".

AND FURTHER AMEND by deleting from the third paragraph of

Section 1 the following, "four-ninths (4/9)" and by substituting instead the following, "four-elevenths (4/11)".

AND FURTHER AMEND by adding the following language immediately following the words, "Section 67-6-103" wherever they appear: "as amended by Public Chapter No. 8 of the First Extraordinary Session of 1984".

On motion, the amendment was adopted.

Mr. Copeland moved that House Bill No. 1445 be placed on the Calendar for Wednesday, May 9, 1984, which motion prevailed.

House Bill No. 1618--To regulate care of certain inmates.

On motion, House Bill No. 1618 was made to conform with Senate Bill No. 1462.

On motion, Senate Bill No. 1462, on same subject, was substituted for House Bill No. 1618.

Mr. Crain moved that Senate Bill No. 1462 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1462 by deleting from the amendatory language of subsection (a) of Section 1 the words "or purchased".

AND FURTHER AMEND by adding the following language at the end of the amendatory language of subsection (a) of Section 1:

By 1985 the department shall have an on-site industry in operation to manufacture such clothing.

On motion, the amendment was adopted.

Mr. Whitson moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1462 in Section 1(b) by deleting the word "horizontal".

Amendment No. 2 failed by the following vote:

Ayes	38
Noes	42
Present and not voting	6

Representatives voting aye were: Atchley, Bewley, Brewer, Chiles, Cobb, Drew, Duer, Elsea, Ford, Frensley, Gaia, Harrill, Henry, Hudson, Hurley, Kelley, Kernell, King (Shelby), McAfee, McNally, Montgomery, Moody, Murphy, Percy, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Smith, Starnes, Ussery, Wallace, Webb, Whitson, Wix, Wood and Yelton --38.

Representatives voting no were: Anderson, Bell, Buck, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Ellis, Gafford, Gill, Hassell, Herndon, Hillis, Huskey, Jared, Johnson, Kent, Kisber, McKinney, Moore (Shelby), Murray, Naifeh, Nance, Napier, Phillips, Pickering, Rhinehart, Severance, Shirley, Sir, Stallings, Tanner, Turner (Shelby), Wheeler, Williams, Wolfe and Work--42.

Representatives present and not voting were: Clark (Sumner), Jones, Love, Miller, Moore (Sullivan) and Owen--6.

Thereupon, Senate Bill No. 1462, as amended, passed its third and final consideration by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, Dills, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --87.

A motion to reconsider was tabled.

House Bill No. 1523--To exempt agricultural aircraft from sales tax.

Mr. Tanner moved that House Bill No. 1523 be passed on third and final consideration.

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1523 by deleting the words "and aircraft

used for agricultural purposes" contained in the amendatory language of Section 1, and substituting instead the words:

aircraft designed and used for crop dusting, such as an agracat or other similar airplanes which are designed for crop dusting purposes.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1523, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton --89.

Representatives voting no were: Jones and Moody--2.

A motion to reconsider was tabled.

House Bill No. 1458--To set fine, theft of cable television services.

On motion, House Bill No. 1458 was made to conform with Senate Bill No. 1465.

On motion, Senate Bill No. 1465, on same subject, was substituted for House Bill No. 1458.

Mr. Owen moved that Senate Bill No. 1465 be passed on third and final consideration.

Mr. Owen moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1465 by deleting the following subsection at the end of the amendatory Section 39-3-1136 of Section 1:

() Provided, that nothing in this section shall be construed to prohibit a subscriber's of a cable television service from using a cable converter or a similar device to relay the subscribed service to other televisions in the subscriber's household.

and by substituting instead the following:

() Provided, that nothing in this section shall be construed to limit a subscriber's equipment selection to that of the cable company, so long as all equipment is properly installed and meets all local and FCC requirements.

On motion, the amendment was adopted.

Mr. Drew moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1465 by adding the language after Section (e)

If cable service is interrupted for a day or any portion thereof the service shall credit the subscriber for that day or days charges on the next billing.

Mr. Rhinehart moved that Senate Bill No. 1465 be placed on the Calendar for Wednesday, May 9, 1984, which motion prevailed.

House Bill No. 2219--To provide funds, criminal injuries compensation.

Mr. Cobb moved that House Bill No. 2219 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2219 by deleting the directory and amendatory language of Section 1 in its entirety and by substituting in lieu thereof a new Section 1 to read as follows:

"SECTION 1. Tennessee Code Annotated, Section 40-24-107 is amended by adding the following new subsection (e):

'(e) In addition to all other funds which are set forth in this section to be deposited into the criminal injuries compensation fund, all forfeitures of appearance bonds in felony cases shall be paid over to the State Treasurer for deposit into a special county criminal injuries compensation fund account. Such account shall be an interest bearing account established in accordance with Chapter 17, Title 9,

Tennessee Code Annotated with a separate account being established for each county remitting funds pursuant to this subsection. The State Treasurer is also authorized to accept any funds which may be appropriated for the county criminal injuries compensation fund account by the county legislative body. Said funds, when appropriated by the county legislative body, shall be deposited to that county's account and expended for the same purpose as other funds in the county criminal injuries compensation account."

and further amend by deleting the directory and amendatory language of Section 2 in its entirety by adding a new Section 2 as follows:

"SECTION 2. Tennessee Code Annotated, Title 29, Chapter 13, Part 1 is amended by adding the following new section:

'Section _____. (a) Whenever a claimant is awarded compensation pursuant to this part, the board shall determine whether there are sufficient funds in the state criminal injuries compensation fund to pay such claimant the amount of the award in a timely manner. If such funds are available the award of compensation shall be paid from the state fund. If the board determines that the state fund is not presently sufficient to pay the amount of the award within six months from the date that the compensation is awarded, the board shall determine whether there is a sufficient amount to pay the award in the county criminal injuries compensation account created pursuant to Tennessee Code Annotated, 40-24-107 (e), for the county from which the claim arises. If it is determined that there is sufficient money in the county account, the board shall pay the award from said county criminal injuries compensation account. Provided, however, all awards paid by the board from either the state fund or any county fund pursuant to this section shall be paid in the order that such awards were filed with the board.

(b) Within a reasonable time after the close of each fiscal year, the State Treasurer shall make available to the county trustee a report detailing the activity in the county criminal injuries compensation account for the previous fiscal year. Such reports shall detail all deposits made to the account, interest earned by the account, as well as criminal injuries compensation awards paid from the account."

and further amend by deleting Section 3 in its entirety and substituting a new Section 3 as follows:

"SECTION 3. This act shall take effect on July 1, 1984, the public welfare requiring it."

On motion, the amendment was adopted.

Thereupon, House Bill No. 2219, as amended, passed its third and final consideration by the following vote:

Ayes	81
Noes	7
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Chiles, Copeland, Ford, Harrill, Huskey, Moody and Robertson--7.

Representative present and not voting was: Shirley--1.

A motion to reconsider was tabled.

Mr. King (Shelby) moved that House Bill No. 149 be placed on the Calendar for Wednesday, May 9, 1984, which motion prevailed.

House Bill No. 1553--To authorize county governments to levy severance tax, sand and gravel.

On motion, House Bill No. 1553 was made to conform with Senate Bill No. 1476.

On motion, Senate Bill No. 1476, on same subject, was substituted for House Bill No. 1553.

Mr. Rhinehart moved that Senate Bill No. 1476 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1476 by deleting the period after the words "agricultural purposes" in the second paragraph of section two (2) and adding the following:

"or for the manufacture of cement."

On motion, the amendment was adopted.

Mr. Ford moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1476 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population of:

not less than	nor more than
31,200	31,300
28,750	28,800

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1476, as amended, passed its third and final consideration by the following vote:

Ayes	78
Noes	13

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Pickett), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--78.

Representatives voting no were: Atchley, Buck, Copeland, Davis (Gibson), Frensley, Hillis, Moody, Naifeh, Phillips, Whitson, Williams, Wolfe and Wood--13.

A motion to reconsider was tabled.

House Bill No. 1894--To make certain provisions, county election commissions.

Mr. Rhinehart moved that House Bill No. 1894 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1894 by renumbering Section 2 to read Section 3 and adding the following as Section 2:

"It is the legislative intent, by the enactment of this legislation, to improve the overall electoral process by training and maintaining competent registrars-at-large with an aim toward adequately compensating such individuals who receive certification under the terms of this Act.

On motion, the amendment was adopted.

Mr. McAfee asked to recorded as voting "no" on Amendment No. 1.

Mr. Atchley moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1894 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 16,700 nor more than 16,800 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1894 as follows:

If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1894, as amended, passed its third and

final consideration by the following vote:

Ayes	51
Noes	34
Present and not voting	6

Representatives voting aye were: Anderson, Bell, Bivens, Buck, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Duer, Ellis, Frensley, Gafford, Herndon, Hillis, Jared, Johnson, Kelley, Kernell, King (Shelby), Kisber, McNally, Miller, Mntgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Sir, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Wix, Work and Yelton--51.

Representatives voting no were: Atchley, Bewley, Byrd, Chiles, Copeland, DeBerry, Drew, Elsea, Ford, Harrill, Hassell, Henry, Hudson, Hurley, Huskey, Jones, Kent, King (Washington), McAfee, Moore (Shelby), Nance, Percy, Pickering, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Smith, Turner (Shelby), Whitson, Williams, Wolfe and Wood--34.

Representatives present and not voting were: Brewer, Love, McKinney, Moody, Turner (Hamilton) and Mr. Speaker McWherter--6.

A motion to reconsider was tabled.

Mr. Wallace moved that House Bill No. 1774 be placed on the Calendar for Wednesday, May 9, 1984, which motion prevailed.

House Bill No. 351--To set taxes and licenses, gambling.

Mr. Love moved that House Bill No. 351 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 351 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section___. Tennessee Code Annotated, Title 67, is amended by adding the following new section:

Section___. (a) There is hereby levied an amusement tax at the rate of four and one-half percent (4 1/2%) on the admission charge, fee or consideration for the amusements: concerts, theaters, athletic events, sporting events, circuses, carnivals, air shows, swimming pools, organized

hunts, minature golf, bowling, golf, driving ranges, rifle ranges, tractor pulls, bingo, motion picture shows, exhibits, night clubs, dance halls, theme parks, excursion boats, pool halls, video game rooms, and amusement parks. Provided, however, that such tax shall not apply to county fairs or athletic events sponsored by schools for grades K-12.

(b) The tax levied pursuant to subsection (a) shall be collected by the department of revenue in the same manner as the collection of state sales tax.

Section _____. The taxes levied by the provisions of this act shall be in addition to all other taxes or fees, whether levied in the form of excise, license, or privilege taxes.

Mr. Williams moved that the Amendment No. 1 be tabled, which motion prevailed.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 351 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION _____. Tennessee Code Annotated, Title 67, is further amended by adding the following as a new section:

SECTION _____. (a) Notwithstanding any provision of the law to the contrary and in addition to any other tax, a bingo tax is hereby imposed on all bingo games for cash prizes, including games within the provisions of Tennessee Code Annotated 39-6-609, as follows: A tax of ten cents (10¢) per card plus an administrative cost fee of three percent (3%) shall be paid for each bingo card issued by the bingo game operator. Such tax shall be collected by the Secretary of State as provided for in this section. The Secretary of State shall prescribe, design, and have produced a uniform bingo card to be used for bingo games. No person, group, or organization shall conduct a bingo game for cash prizes without obtaining from the Secretary of State the official state bingo cards and rendering the payment of such tax and fee. Such cards shall be used by each bingo player and shall be evidence of payment of the tax. Such card may be used for only one (1) game of bingo. The Secretary of State is authorized to promulgate such rules and regulations necessary to collect such tax and to establish the procedures for printing and use of the official state bingo cards.

(b) Any operator of bingo games violating any of the

provisions of this section shall be guilty of a felony punishable as provided in Tennessee Code Annotated, Section 39-1-201.

Any bingo player using a bingo card in violation of the provisions of this section shall be guilty of a misdemeanor punishable as provided in Tennessee Code Annotated, Section 39-1-202.

Mr. King (Washington) moved that House Bill No. 351 be re-referred to the Committee on Finance, Ways and Means.

Mr. McKinney moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	44
Noes	38
Present and not voting	3

Representatives voting aye were: Anderson, Bell, Clark (Davidson), Covington, Davidson, DeBerry, DePriest, Dills, Drew, Ellis, Gaia, Gill, Henry, Hillis, Hurley, Jared, Jones, Kernell, King (Shelby), Kisber, McKinney, Miller, Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Sir, Smith, Stallings, Starnes, Tanner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--44.

Representatives voting no were: Atchley, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Davis (Pickett), Duer, Elsea, Ford, Frensley, Harrill, Hassell, Herndon, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Nance, Percy, Robertson, Robinson (Washington), Scruggs, Shirley, Turner (Shelby), Wallace, Webb, Whitson, Williams, Wolfe and Wood--38.

Representatives present and not voting were: Brewer, Crain and Hudson--3.

Mr. Cobb moved that Amendment No. 2 be tabled, which motion prevailed.

Mr. Love moved that House Bill No. 351 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 761--To appropriate funds, Meharry Medical College.

Mr. Love moved that House Bill No. 761 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 761 by adding the following language at the end of Section 3:

provided, however, that the appropriation made in this section is subject to: (1) the approval of the commissioner of finance and administration and the Tennessee higher education commission; and (2) House Bill No. 461 and House Bill No. 1069 becoming law.

On motion, the amendment was adopted.

Thereupon, House Bill No. 761, as amended, passed its third and final consideration by the following vote:

Ayes	58
Noes	27
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bivens, Brewer, Buck, Clark (Davidson), Copeland, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Disspayne, Drew, Ellis, Frensley, Gafford, Herndon, Hillis, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Work and Yelton--58.

Representatives voting no were: Anderson, Bewley, Byrd, Chiles, Clark (Sumner), Cobb, Davis (Pickett), Duer, Elsea, Ford, Harrill, Hassell, Henry, Hudson, Kelley, King (Washington), Montgomery, Moody, Moore (Shelby), Nance, Pruitt, Robertson, Scruggs, Shirley, Smith, Wallace and Wood--27.

Representatives present and not voting were: Dills and Moore (Sullivan)--2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

2114--To regulate Board of Polygraph Examiners; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONSENT CALENDAR

OBJECTIONS

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Bill objected to House No. 170.

Mr. Miller objected to House No. 2060.

Under the rules, House Bills Nos. 170 and 2060 were placed at the foot of the Calendar for Wednesday, May 2, 1984.

House Bill No. 2061--To make certain provisions, financial institutions.

House Joint Resolution No. 282--Relative to naming bridge over Spring Creek, Marshall County.

House Bill No. 2182--To make certain provision, board of polygraph examiners.

On motion, House Bill No. 2182 was made to conform with Senate Bill No. 2114.

On motion, Senate Bill No. 2114, on same subject, was substituted for House Bill No. 2182.

House Bill No. 133--To continue public health council.

House Bill No. 146--To continue state advisory hospital committee.

On motion, House Bill No. 146 was made to conform with Senate Bill No. 1268.

On motion, Senate Bill No. 1268, on same subject, was substituted for House Bill No. 146.

House Bill No. 2184--To set expiration date, certain agency rules.

House Joint Resolution No. 293--Relative to designating Franklin bypass as "Mack Hatcher Memorial Parkway".

House Joint Resolution No. 294--Relative to expediting proposed widening of Hillsboro Road.

House Bill No. 1426--To make certain provisions, U.T. Energy Institute.

On motion, House Bill No. 1426 was made to conform with Senate Bill No. 1428.

On motion, Senate Bill No. 1428, on same subject, was substituted for House Bill No. 1426.

House Joint Resolution No. 275--Relative to approving amendments to Rules of Criminal Procedure.

House Joint Resolution No. 276--Relative to approving amendments to Rules of Appellate Procedure.

House Joint Resolution No. 461--Relative to congratulating Roane State Community College Women's basketball team.

House Joint Resolution No. 462--Relative to commending Kenneth L. Roberts.

House Joint Resolution No. 463--Relative to commending Public Service Commissioner Jane EsKind.

House Joint Resolution No. 465--Relative to naming the dam near Columbia the "Joe L. Evins' Dam".

House Bill No. 2267--To provide for bond issue, West Carroll Special School District.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --94.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 202--Relative to appreciation, Hugh T. McDade.

Under the rules, Senate Joint Resolution No. 202 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 203--Relative to congratulate Ezell-Harding Christian School football team.

Under the rules, Senate Joint Resolution No. 203 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 206--Relative to expressing appreciation, H. Lynn Greer, Jr.

Under the rules, Senate Joint Resolution No. 206 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 207--Relative to expressing appreciation, Billy Ray Vinson.

Under the rules, Senate Joint Resolution No. 207 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 208--Relative to expressing appreciation, Nannie G. Rucker.

Under the rules, Senate Joint Resolution No. 208 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 212--Relative to designating "Days of Remembrance of the Victims of Holocausts" week.

The Speaker referred Senate Joint Resolution No. 212 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 217--Relative to creating Commission on Commemoration of Holocausts.

The Speaker referred Senate Joint Resolution No. 217 to the Committee on Government Operations.

RULES SUSPENDED

Mr. Gill moved that House Rule No. 48 be suspended in order that

future House Calendars may be set with more than 25 bills, which motion prevailed.

HOUSE JOINT RESOLUTION SENATE AMENDMENT

House Joint Resolution No. 343--Relative to declaring April as Fair Housing Month.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 343 by deleting the second resolving clause which reads:

BE IT FURTHER RESOLVED, that we acknowledge our support of Senate Bill 0978 before the Ninety-Eighth Congress, relative to fair housing.

Mr. Drew moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 1955, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Rhinehart, House Bill No. 1955 was returned to the Senate as requested.

Mr. Drew moved that the rules be suspended for the purpose of

introducing House Resolution No. 127 out of order, which motion prevailed.

House Resolution No. 127--Relative to certain elections, Knoxville--By Drew, Severances, Scruggs, Smith and Hudson.

Mr. Drew moved that the rules be suspended for the immediate consideration of House Resolution No. 127, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Bivens moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 482 out of order, which motion prevailed.

House Joint Resolution No. 482--Relative to honoring Cordell "Corkey" Whitlock--By Bivens and Webb.

Mr. Bivens moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 482, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 126--Relative to commending Marvin Ishmel Thompson of Knoxville--By Duer and Severance.

Under the rules, House Resolution No. 126 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 471--Relative to express sorrow at the death of C. Wilson Viar--By Crain.

Under the rules, House Joint Resolution No. 471 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 473--Relative to memory, Joe T. Ray --By Harrill.

Under the rules, House Joint Resolution No. 473 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 475--Relative to commending Bishop James Niedergeses--By Murphy.

Under the rules, House Joint Resolution No. 475 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 476--Relative to memory, Pinckney Keel--By Murphy.

Under the rules, House Joint Resolution No. 476 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 477--Relative to amending Article II, Section 28, State Constitution--By Bragg.

The Speaker referred House Joint Resolution No. 477 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 478--Relative to congratulating Thurman Francis Junior High School boys' basketball team--By Bragg.

Under the rules, House Joint Resolution No. 478 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 479--Relative to congratulating Thurman Francis Junior High School girls' basketball team--By Bragg.

Under the rules, House Joint Resolution No. 479 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 480--Relative to memorializing Congress, enforcement of federal antitrust laws--By Murphy and Davis (Pickett).

The Speaker referred House Joint Resolution No. 480 to the Committee on Judiciary.

INTRODUCTION OF BILLS

House Bill No. 2275--To change tax rate, Bradford Special School District--By Davis (Gibson).

Passed first consideration.

House Bill No. 2276--To amend Technology Corridor Development Authority Act--By Scruggs.

Passed first consideration.

House Bill No. 2277--To regulate amusement tax, Knox County--By Scruggs, Miller and Owen.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1511--To regulate compensation, county officers.

Passed first consideration.

Senate Bill No. 1800--To regulate judicial and legislative record keeping.

Passed first consideration.

Senate Bill No. 1801--To make certain provisions, Office of Secretary of State.

Passed first consideration.

Senate Bill No. 1802--To amend Tennessee Lobbyist Registration and Disclosure Act.

Passed first consideration.

Senate Bill No. 1818--To regulate sale and use tax, certain municipalities corporate limits.

Passed first consideration.

Senate Bill No. 1837--To regulate authority, alcoholic beverages, certain public areas.

Passed first consideration.

Senate Bill No. 1838--To regulate sale, alcoholic beverages, certain community theaters.

Passed first consideration.

Senate Bill No. 2018--To enact Abandoned Cultural Property Act.

Passed first consideration.

Senate Bill No. 2222--To make certain provisions, qualification of voters, certain cities.

Passed first consideration.

Senate Bill No. 2232--To regulate search of title, Commissioner of Commerce and Insurance.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2270--To make felony, escape or attempt to escape from jail.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2271--To define duties of constables, certain counties.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 2272--To authorize Jackson Utility Division to study cable television.

Passed second consideration and held without reference.

House Bill No. 2273--To impose privilege tax, lodgings, Lincoln County.

Passed second consideration and held without reference.

House Bill No. 2274--To change tax rate, Gibson County School District.

Passed second consideration and held without reference.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1577--To make certain provisions, retirement benefits;

1813--To make certain provisions, water wells;

2057--To regulate record keeping, motor vehicle division; all substituted for Senate Bills on same subject, amended, and passed by Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill Nos.:

1788--To provide for extension, reappraisal programs;

1827--To make certain provisions, oil and gas board;

1976--To create watershed authority, Beaver Creek; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos:

375--Relative to designating Tourism Week;

382--Relative to confirming appointments, Interim Certification Commission;

389--Relative to naming portion of Highway 421 for Senator Carl R. Moore;

428--Relative to congratulating Stewart County Soil Conservation District Youth Board;

436--Relative to congratulating U. S. Representative Ed Jones;

453--Relative to congratulating Tim George; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 761, 1523, 1894, 2001, 2059 and

2219; and House Joint Resolutions Nos. 482 and 483; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 2, 1984: House Bills Nos. 1392; House Joint Resolution No. 319; Senate Joint Resolution No. 147; House Bills Nos. 817, 1363, 1679; Senate Joint Resolution No. 145; House Bills Nos. 1687, 1407, 1628, 1856, 1456, 1605, 1732; House Joint Resolution No. 292; House Bills Nos. 1984, 1840, 1885, 2170, 2183, 1470 and 1651.

GILL, Chairman.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rules No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1962, 2246, 2247, 2269, 2272 and 2273.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 133, 2061, 2184 and 2267; and House Joint Resolutions Nos. 275, 276, 282, 293, 294, 461, 462, 463 and 465; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, May 2, 1984: Senate Joint Resolutions Nos. 202, 203, 206, 207, 208, 212, 214; House Resolution No. 126; House Joint Resolutions Nos. 471, 473, 475, 476, 478, 479 and House Bills Nos. 2272, 2273, 1962, 2246, 2247 and 2269.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1588--To regulate service charge, pawnbrokers;

1589--To increase incentive compensation, assessors and deputy assessors;

1889--To clarify law, valuation of interest, certain estates;

1914--To establish retirement credit, military service; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

483--Relative to 150th anniversary, Randolph United Methodist Church; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1586--To exempt certain sales from sales and use tax; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1782--To regulate operation, radiation equipment;

1833--To define unruly child, certain organizations;

1917--To make certain provisions, driver's licenses;

2053--To regulate use, computer printouts, certain court records;

2066--To make certain provisions, certain consolidated school districts;

2092--To make appropriations, purpose of effectuating its provisions;

2104--To make certain provisions, major state officials;

2233--To increase term of office, Sumner County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

193--Relative to erecting signs, Jack Daniels Distillery;

213--Relative to commending Tennessee Heritage Alliance; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 761--Miller

House Bill No. 1458--Rhinehart, McKinney

House Bill No. 1618--Kent

House Bill No. 2153--Yelton

House Bill No. 2219--Kent (co-prime)

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1820, 2135, 2259, 2260, 2261, 2262 and 2263; also, House Joint

MONDAY, APRIL 30, 1984—67th LEGISLATIVE DAY

Resolutions Nos. 419, 420, 422, 424, 429, 443 and 444; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**On motion of Mr. Naifeh, the House adjourned until 2:00 p.m.,
Wednesday, May 2, 1984.**